

UNITED STATES DISTRICT COURT

FILED

WESTERN DISTRICT OF TEXAS

AUSTIN DIVISION

JUL 27 2005

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

UNITED STATES OF AMERICA,)

Petitioner,)

v.)

CIVIL ACTION NO.

7901 BEE CAVES ROAD,)
AUSTIN, TRAVIS COUNTY, TEXAS,)

A05CA589 SS

Respondent.)

VERIFIED COMPLAINT FOR FORFEITURE

Comes now the Petitioner, United States of America, acting by and through Johnny Sutton, United States Attorney for the Western District of Texas, and the undersigned Assistant United States Attorney, and respectfully states as follows:

I.

JURISDICTION

The Court has jurisdiction of this action under Title 28 United States Code (U.S.C.) §§ 1345, 1355, and 2461. This in rem action is brought under Title 18 U.S.C. § 981.

II.

VENUE

The Court has venue of this action under Title 28 U.S.C. § 1395. The Respondent Property is real property situated in Austin, Travis County, State of Texas, within the jurisdiction of the United States District Court for the Western District of Texas, Austin Division, Travis County, Texas.

III.

DESCRIPTION OF RESPONDENT PROPERTY

The Respondent Property situated in Austin, Travis County, Texas, with all buildings, appurtenances, and improvements thereon and any and all surface and sub-surface rights, title and interests, if any, and being more particularly described as follows:

7901 Bee Caves Road, Austin, Travis County, Texas
Unit 22, Rob Roy Rim Condominiums, a condominium project in Travis County, Texas, together with the limited common elements, and an undivided interest in and to the general common elements, as same are defined in the Condominium Declaration thereof, in Volume 13173, Page 376, and Volume 13361, Page 822, Real Property Records, Travis County, Texas.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Subject to all easements, restrictions, conditions, covenants, and other instruments of record.

The above-described Respondent Property is described in the Warranty Deed from Stadler Custom Homes, LLC, (Grantor), to Roberta Lynn Majeed a married person and Tariq Majeed Husband and wife, (Grantees), recorded in the Real Property Records of Travis County, Texas, at Volume/Page 2002074449, which is attached hereto and fully incorporated herein by reference as "Exhibit A" to this Verified Complaint for Forfeiture. The above-described real estate is hereinafter referred to as the "Respondent Property."

IV.

**NAMES AND MARITAL STATUS
OF TITLED OWNER(S) OF RESPONDENT PROPERTY**

According to the Warranty Deed, dated April 19, 2002, and recorded on April 22, 2002, in Volume/Pages 2003226653, title to the Respondent Property was conveyed from Stadler Custom

Homes LLC, (Grantor), to Roberta Lynn Majeed a married person and Tariq Majeed Husband and wife, (Grantees).

Roberta Lynn Majeed is married to Tariq Majeed and was married to said Tariq Majeed at the time that Robert Lynn Majeed purchased the Respondent Property from the previous owner of record. Tariq Majeed therefore may also hold an interest in the Respondent Property.

V.

**LIENS, ENCUMBRANCES, AND RESTRICTIONS
AGAINST RESPONDENT PROPERTY**

Cantu Mortgage Associates, Inc.
dba Westlake Mortgage
3636 Bee Caves Road, Suite 204
Austin, Texas 78746

John T. Ritter, Trustee
5508 Hwy 290 West, Suite 102
Austin, Texas 78735

Mortgage Electronic Registration System, Inc.
3300 S. W. 34th Avenue, Suite 101
Oakland, Florida 34474

VI.

**LAST KNOWN ADDRESSES OF TITLED OWNER(S),
LIENHOLDER(S) AND OTHER POTENTIAL CLAIMANT(S)**

The last known addresses of the titled owner(s), lienholder(s) and other potential claimant(s) listed in this Verified Complaint For Forfeiture are as follows:

Tariq Majeed
7901 Bee Caves Road #22
Austin, Texas 78753

Roberta Lynn Majeed
7901 Bee Caves Road #22
Austin, Texas 78753

Cantu Mortgage Associates, Inc.
dba Westlake Mortgage
3636 Bee Caves Road, Suite 204
Austin, Texas 78746

Mortgage Electronic Registration System, Inc
330 S. W. 34th Avenue, Suite 101
Oakland, Florida 34474

John T. Ritter, Trustee
5508 Hwy 290 West, Suite 102
Austin, Texas 78735

VII.

VALUE OF RESPONDENT PROPERTY

The Respondent Property has been appraised at approximately \$739,160.00.

VIII.

VIOLATIONS

This is a civil action in rem brought to enforce the provisions of Title 18 United States Code (U.S.C.) §§ 1956, 1957, 1341, 1343, 1955 and 981 and Title 31 §§ 5324 and 5332 for the forfeiture of the Respondent Property.

IX.

OWNERS' KNOWLEDGE OF VIOLATIONS

Roberta Lynn Majeed and Tariq Majeed, the actual owners of the Respondent Property, each had actual knowledge and/or had reason to believe that the Respondent Property was involved in the violations alleged in this Verified Complaint for Forfeiture.

X.

**VIOLATION OF TITLE 18 U.S.C. §§ 1956, 1957, 1341, 1343, 1955 AND 981
AND TITLE 31 §§ 5324 AND 5332**

(See Affidavit of Special Agent James L. Neff in Support of Verified Complaint.)

The Respondent Property was involved in a transaction or attempted transaction or constitutes or is derived from proceeds traceable to a violation of Title 18 U.S.C. §§ 1956, 1957, 1341, 1343, 1955 and Title 31 §§ 5324 and 5332 and thereby shall be forfeited to the United States of America pursuant to Title 18 U.S.C. § 981.

XI.

PRAYER

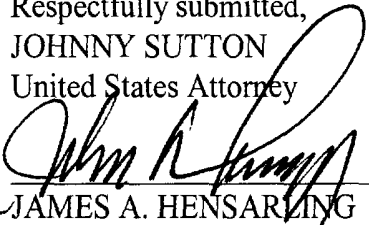
WHEREFORE, the United States of America prays as follows:

1. That notice issue according to the standard procedure of this Court citing that all persons having an interest in the above-described property may file a claim with the Clerk of the United States District Court, Western District of Texas, Austin Division, asserting such person's interest in the property in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims not later than thirty (30) days after the date of service of the Verified Complaint or, as applicable, not later than thirty (30) days after the date of final publication of notice of the filing of the complaint. A person asserting an interest shall file an answer to the Verified Complaint for forfeiture not later than twenty (20) days after the date of the filing of the claim, as provided by Title 28 U.S.C. Rule C(6) of the Supplemental Rules for Certain Admiralty and Maritime Claims, Fed.R.Civ.P. and Title 18 U.S.C. § 983 (a)(4)(A) and (B);

2. That the United States Department of Treasury, Internal Revenue Service, Criminal Investigation Division or any other authorized law enforcement officer or any other person or organization authorized by law shall post the Notice of Complaint for Forfeiture against the Respondent Property, in accordance with Title 28 U.S.C. Rule E(4)(b) of the Supplemental Rules for Certain Admiralty and Maritime Claims, Fed.R.Civ.P., and Title 18 U.S.C. § 985(c)(1)(B), by affixing a copy of the Notice of Complaint for Forfeiture in this action, in a conspicuous place upon the premises and, if applicable, by leaving copies of the Notice of Complaint for Forfeiture and accompanying documents with the occupant of the premises, if any,
3. That judgment of forfeiture be decreed against the Respondent Property;
4. That upon final decree of forfeiture, the Respondent Property be disposed of in accordance with law; and
5. For costs and for such other and further relief to which Petitioner may be entitled.

Respectfully submitted,
JOHNNY SUTTON
United States Attorney

By:


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Fax: (512) 916-5855
Texas State Bar No. 09486950

VERIFICATION

STATE OF TEXAS

COUNTY OF TRAVIS

James L. Neff declares and says that:

1. I am a Special Agent with the United States Department of Treasury, Internal Revenue Service, within the Western District of Texas, Austin Division, and am the investigative agent responsible for the accuracy of the information provided in this litigation;

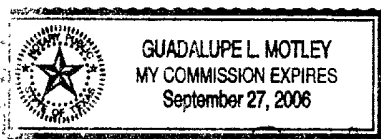
2. I have read the above Verified Complaint for Forfeiture and know the contents thereof; the information contained in the Complaint has been furnished by official government sources; and based on information and belief, the allegations contained in the Verified Complaint are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 27th day of July, 2005.

James L. Neff
James L. Neff, Special Agent

Subscribed and sworn to before me this 27th day of July, 2005.



Frank Eugene Matting
Notary Public in and for
the State of Texas

My Commission Expires: September 30, 2010